

SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Wednesday 27th January, 2021

No. 02

**GOVERNMENT OF SIKKIM
LAW & P.A. DEPARTMENT
GANGTOK**

No. 02/L&PAD/2021

Dated: 27.01.2021

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received assent of the Governor on 11th day of January, 2021 is hereby published for general information :-

THE SIKKIM PANCHAYAT (AMENDMENT) ACT, 2021

(ACT No. 02 OF 2021)

AN

ACT

further to amend the Sikkim Panchayat Act, 1993.

Be it enacted by the Legislature of Sikkim in the Seventy-second Year of the Republic of India as follows :-

- | | | |
|---|---|--|
| Short title and
Commencement | 1 | (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the date of publication in the Official Gazette. |
| Amendment of
Section 11 | 2 | (1) In the Sikkim Panchayat Act, 1993 (hereinafter referred to as the "Principal Act"), existing Section 11 shall be renumbered as sub-section (1) of that Section and after sub-section (1) as so renumbered the following sub-section (2) shall be inserted, namely:-

"(2) Notwithstanding anything contained in sub-section (1) above, if:

(a) the Gram Sabha fails to perform any of the functions stated in sub-section (1) above, within a reasonable time, or |

(b) the Gram Sabha is due to some exceptional circumstances, reasons for which are to be recorded in writing, unable to meet and perform its functions,

(i) Then the Prescribed Authority shall, in consultation with the Gram Panchayat, take a decision and carry out any such function:

Provided that the Prescribed Authority shall ensure consultation with the Gram Panchayat by constituting a Committee, where:

- (A) the members of the Gram Panchayat shall be more in number than the nominees of the State Government;
- (B) the Chairperson of the Committee shall be the senior most Government nominee;
- (C) the recommendations of the Committee shall be by majority."

**Amendment of
Section 11A**

- 3 In the principal Act, in Section 11 A, in clause (c), before the words "to identify", the words "to render assistance to Gram Sabha" shall be inserted.

**Jagat B. Rai (SSJS)
L.R.-cum-Secretary
Law & P.A. Department.**